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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

S0150095
TASK 2777
0001

February 10, 2009

Karen Palmer
Diamond K Gypsum
1720 South Red Hills Drive
Richfield, Utah 84701-7003

Subject: Initial Review of Notice of Intention to Commence Large Mining Operations, Diamond K Gypsum, Inc., Chalk Hills Quarry, M0150095, Emery County, Utah

Dear Ms Palmer:

The Division has completed a review of your Notice of Intention to Commence Large Mining Operations for the Chalk Hill Quarry, located in Emery County, Utah, which was received December 1, 2008. The attached comments will need to be addressed before tentative approval may be granted.

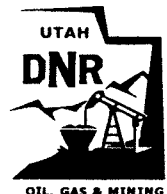
The comments are listed under the applicable Minerals Rule heading; please format your response in a similar fashion. Please address only those items requested in the attached technical review by sending replacement pages of the original mining notice using **redline and strikeout** text, so we can see what changes have been made. After the notice is determined technically complete and we are prepared to issue final approval, we will ask that you send us two clean copies of the complete and corrected plan. Upon final approval of the permit, we will return one copy stamped "approved" for your records.

The Division will suspend further review of the Notice of Intention until your response to this letter is received. If you have any questions in this regard please contact me at 801-538-5261, or Lynn Kunzler (biology and soils) at 801-538-5310, Tom Munson (hydrology) at 801-538-5321 or Wayne Western (engineering) at (801) 538-5263. Thank you for your cooperation in completing this permitting action.

Sincerely,

Paul B. Baker
Minerals Program Manager

PB/ww/:vs
Task # 2777
Attachment: Review
cc: christopher_conrad@blm.gov
P:\GROUPS\MINERALS\WP\M015-Emery\S0150095-ChalkHills\final\REV1_S0150095_Task2777_01202009A.doc



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**INITIAL REVIEW OF NOTICE OF INTENTION
TO COMMENCE LARGE MINING OPERATIONS**

**Diamond K Gypsum, Inc.
Chalk Hills Quarry**

**M0150095
February 10, 2009**

General Comments:

R647-4-104 – Operator's, Surface and Mineral Ownership

| Comm ent # | Sheet/Pag e/ Map/Tabl e # | Comments | Initial s | Review Action |
|---------------|---------------------------------------|--|--------------|------------------|
| | | The Applicant must identify the name(s) of the surface owners (BLM) on Map –105.1 Base Map or a similar map. In addition, the Applicant should show the distance from the quarry to a landmark such as a town or intersection. | WHW | |

R647-4-105 - Maps, Drawings & Photographs

General Map Comments

| Comm ent # | Sheet/Pag e/ Map/Tabl e # | Comments | Initials | Review Action |
|---------------|---------------------------------------|---|----------|------------------|
| | | The Applicant should show the amount of acres on each subarea within the permit area. | WHW | |

Specific Map Comments

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105.1 Topographic base map, boundaries, pre-act disturbance

| Comment # | Sheet/Page/Map/Table # | Comments | Initials | Review Action |
|-----------|------------------------|---|----------|---------------|
| | | The Applicant should include cross sections on 200-foot centers that show the premining, operational and reclaimed areas. | WHW | |

105.2 Surface facilities map

| | | | | |
|--|--|---|--|--|
| | | The Applicant should identify the permit boundary on the base map and on both the operation and reclamation maps. | | |
|--|--|---|--|--|

105.3 Drawings or Cross Sections (slopes, roads, pads, etc.)

| Comment # | Sheet/Page/Map/Table # | Comments | Initials | Review Action |
|-----------|--|--|----------|---------------|
| | | The Applicant should include *** that show the amount of overburden and gypsum to be removed, and the amount of waste material to be placed during reclamation. | | |
| | R647-4-110.2 (a) | The Applicant should include cross sections that show areas of major importance for reclamation such as the areas mentioned in R647-4-110.2 (a) that have highwalls that exceed 45 degrees or slopes exceeding 3h:1v. | | |
| | Map CHQ 105.3 Reclamation Treatments Map | In the northwest corner of the disturbed area, the reclaimed contour line 5715 feet appears to tie into the same undisturbed contour line as the reclaimed contour line 5720 feet. In the southeast corner of the disturbed area the reclaimed contour line 5750 feet appears to tie back into the undisturbed contour line 5755. Please make appropriate corrections. | | |

105.4 Photographs

| Comment # | Sheet/Page/Map/Table # | Comments | Initials | Review Action |
|-----------|------------------------|--|----------|---------------|
| | | The Division recommends including photographs that show the existing disturbance and facilities and the areas to be disturbed. | | |

R647-4-106 - Operation Plan

106.1 Estimated acreages disturbed, reclaimed, annually

| Comment # | Sheet/Page/Map/Table # | Comments | Initials | Review Action |
|-----------|------------------------|---|----------|---------------|
| | Sec. R645-4-106.2 | The Applicant must state the exact acres that will be included within the permit boundaries. The Division appreciates that the Applicant mentions future areas. However, the maps and charts must clearly show what areas are within the permit boundaries. | | |

110.5 Revegetation planting program

| Comment # | Sheet/Page/Map/Table # | Comments | Initials | Review Action |
|-----------|------------------------|--|----------|---------------|
| | | General Comments: Evaluation of the proposed seed mix leaves some concern regarding the full establishment of a diverse and permanent vegetation cover. First, While Galleta grass is common in the area; the likelihood of re-establishing this species from commercial seed is very unlikely. Please consider either dropping this species from the mix, or, make a local seed collection for the needed seed. Second, it is recommended that Forage Kochia (Kochia prostrata) be added to the mix at a rate of 0.5 lbs. per acre. | LK | |

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R647-4-112 – Variance (List all variance requested and make a finding if approving.)

| Comment # | Sheet/Page/Map/Table # | Comments | Initials | Review Action |
|-----------|------------------------|--|----------|---------------|
| | | The Applicant should submit detailed cross sections and maps that show the exact location of the highwalls that will be left in place. | WHW | |

R647-4-113 – Surety

| Comment # | Sheet/Page/Map/Table # | Comments | Initials | Review Action |
|-----------|------------------------|--|----------|---------------|
| | | The Applicant should supply supporting information that shows how the reclamation costs were calculated. The Division will give the Applicant spreadsheets that the Division is now using to standardize reclamation cost estimates. | WHW | |